

Remarks

The Office Action of April 2, 2008, rejected standing claims 2 and 4-9 under 35 U.S.C. § 112, 2d paragraph, as being indefinite because of the use of the term “preferably” in claims 2 and 5, the use of the term “for example” in claim 6, and the lack of antecedent basis for “the rotor housing” in claim 4 and “the nubs” in claims 7 and 9. Claim 4 was also objected to for the informality of lacking the word “an” before “external rotor”. The claims have been amended to address and overcome these issues.

The Office Action also objected to the drawings as purportedly failing to provide illustration of the subject matter of claim 8. As the applicant has cancelled claim 8, this issue is rendered moot.

The Office Action further asserted the following rejections of the claims:

A. Claims 1-3, 5-6, and 9 were rejected under 35 U.S.C. § 102(b) as assertedly being anticipated by Raasch U.S. Pat. No. 4,944,464 or in the alternative under 35 U.S.C. § 103(a) as assertedly being obvious over Raasch in view of Kaiser U.S. Pat. No. 5,303,570.

B. Claim 2 was rejected under 35 U.S.C. § 103(a) as assertedly being obvious over Raasch alone or Raasch in view of Kaiser and further in view of Clarkson U.S. Pat. No. 2,729,051.

C. Claim 4 was rejected under 35 U.S.C. § 103(a) as assertedly being obvious over Raasch alone or Raasch in view of Kaiser and further in view of Wirz U.S. Pat. No. 5,533,686.

D. Claim 7 was rejected under 35 U.S.C. § 103(a) as assertedly being obvious over Raasch alone or Raasch in view of Kaiser and further in view of Pesch U.S. Pat. No. 3,695,522.

E. Claims 1, 6 and 8 were rejected under 35 U.S.C. § 102(b) as assertedly being anticipated by Pesch alone or in the alternative under 35 U.S.C. § 103(a) as assertedly being obvious over Pesch in view of Kaiser.

The applicant respectfully disagrees with these various claim rejections and requests reconsideration in light of the following remarks.

Most fundamentally, no drive roller whose exterior circumference is constituted by a thinwalled metal tube formed by means of high-pressure interior deformation, is fairly disclosed or suggested by the primary Raasch reference nor any of the other references.

The Raasch reference merely discloses a drive roller which has a friction coating on its exterior circumference, and which has yarn guide grooves in the area of the yarn reversing locations. In column 3, lines 3 to 13, of Raasch, it is expressly stated that cutting these grooves into the friction coating is efficient particularly in those cases in which the friction coating is not made of metal, but of a thermoplastically deformable material.

Thus, the assertion in the Office Action that profiling a metal tube constituting the exterior circumference of a drive roller by means of high-pressure interior deformation is anticipated or obvious from Raasch is unsupported in the Raasch reference and, indeed, is contradicted by the aforementioned portions of the Raasch specification.

As described in the specification of the current application (para. 0012), the present invention is based on the object of developing a drive roller with a long service life and strong propulsive force, which is intended to have a profiling which is smooth relative to the yarn running on the roller, as well as being long-lasting and cost-effective to produce. In a drive roller for a cheese-producing textile machine, there is no suggestion in Raasch or any of the other

references cited in the Office Action that this object can be attained by fixing a thin-walled metal tube on the exterior circumference of the drive roller, after such metal tube has been first provided with a profiling produced by high-pressure interior deformation.

The instant application in paras. 0018 and 0044 further acknowledges with respect to the Kaiser reference (German DE 41 03 082 A1 is the counterpart to Kaiser U.S. Pat. 5,303,570) that it was already known by the priority date of this application that it is possible to produce complicated components, for example hollow bodies, which cannot be produced by means of deep-drawing processes, in a relatively cost-effective manner and reproducibly by means of high-pressure interior deformation processes. That knowledge however falls far short of suggesting the specific features of the present invention of pre-forming a thin-walled metal tube with a profiling produced by high-pressure interior deformation and then fixing such tube on the exterior circumference of a drive roller in a textile cross-wound bobbin producing machine. Indeed, nothing in the Kaiser reference provides any teaching, explicit or inferred, nor even any remote suggestion or motivation for one skilled in the art of designing such textile machines to adapt or apply any of the Kaiser teachings to the formation of textile machines, much less a cross-wound bobbin drive roller in particular.

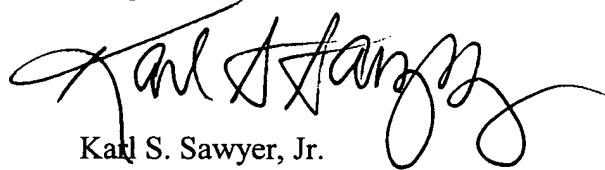
The secondary references cited in the Office Action with regard to dependent claims 2-7 and 9, whether such references are considered individually or collectively, fail to overcome the above-discussed deficiencies of the Raasch and Kaiser references, whereby the rejections of claims 2-7 and 9 fail for the same reasons.

Specifically, Clarkson, for example, does not disclose a drive roller with a thin-walled metal tube on the exterior circumference, and made of a rust-free stainless steel alloy, but as can

be seen for example in Fig. 15, has a massive drive shaft 195 on which a drive drum 187 is fastened. Although this drive drum 187 is made of stainless steel, it has a considerable wall thickness and in any event it does not have a pre-formed profiling produced by high-pressure interior deformation.

For all of these reasons, it is respectfully submitted that the standing claims patentably define over the cited references and should be allowable. Favorable reconsideration and issuance of a formal notice of allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Karl S. Sawyer, Jr.', with a stylized, cursive script.

Karl S. Sawyer, Jr.
Kennedy Covington Lobdell & Hickman LLP
Hearst Tower, 47th Floor
214 North Tryon Street
Charlotte, North Carolina 28202
Telephone (704) 331-5792
-- Attorney for Applicants